

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN THE MATTER OF:

Cody Anthony Hidalgo,
Debtor.

Bankruptcy Case No. 22-41931
Hon. Mark A. Randon
Chapter 7

Roman Stone Works, Inc., Craig Cassel,
and Andrew Ferenc

Adversary Proceeding No. 22-_____
Hon. Mark A. Randon

Plaintiffs,

v.

Cody Anthony Hidalgo

Defendant.

COMPLAINT

NOW COME Roman Stone Works, Inc., Craig Cassel, and Andrew Ferenc (collectively, the “Plaintiffs”), by and through their counsel, Stevenson & Bullock, P.L.C., and for their Complaint (the “Complaint”), state as follows:

PARTIES AND JURISDICTION

1. Debtor and Defendant, Cody Anthony Hidalgo, (the “Defendant”), is a resident of the Eastern District of Michigan, Southern Division.
2. Plaintiff Roman Stone Works, Inc. (“Roman Stone Works”) is a Michigan corporation and creditor of the Defendant.

3. Plaintiff Craig Cassel (“Mr. Cassel”) is an individual and creditor of the Defendant.

4. Plaintiff Andrew Ferenc (“Mr. Ferenc”) is an individual and creditor of the Defendant.

5. On March 15, 2022 (the “Petition Date”) the Defendant filed a Voluntary Petition under Chapter 7 of the Bankruptcy Code (11 U.S.C. § 101, et seq.) in the Bankruptcy Court for the Eastern District of Michigan, Southern Division, which presently pends in this Court.

6. This adversary proceeding seeks a judgment that the indebtedness owed to the Plaintiffs pursuant to a final, non-appealable judgment is non-dischargeable under Section 523 of the Bankruptcy Code.

7. This action is a core proceeding pursuant to 28 U.S.C. § 157(b).

8. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§ 157 and 1334.

9. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

10. Plaintiffs consent to this Court entering final orders and judgments in this Adversary Proceeding.

GENERAL ALLEGATIONS

11. Roman Stone Works is engaged in the business of limestone fabrication and has been conducting business since 2006. It is owned by Mr. Cassel and Mr. Ferenc.

12. The Defendant was a short-term employee of Roman Stone Works.

13. On October 20, 2019, Defendant posted a “meme” on Facebook, which stated “boss makes a dollar, I make a dime, that’s why I poop on company time.” See, Exhibit A.

14. Defendant was still employed with Roman Stone Works after he posted his “meme” on Facebook. In fact, the Defendant came to work on October 21, October 22, and October 23, 2019.

15. The Defendant informed the Plaintiffs on October 23, 2019 that he wanted to go to a job fair during work hours.

16. The Plaintiffs informed the Defendant that he did not have permission to leave work to go search for other employment, and, that if he left, he would be fired from his position at Roman Stone Works.

17. The Defendant directly disobeyed the Plaintiffs’ orders and walked off the job on October 23, 2019, during work hours, and as a result, was terminated from his position at Roman Stone Works.

18. Thereafter, Defendant posted on Facebook falsely stating that it was the “meme” rather than walking off the job in disobedience that got him terminated from his position. From there, the Defendant went on a social media crusade to harass, distress, and interfere with Plaintiffs’ business.

19. Defendant’s actions were both willful and malicious as more fully set forth herein.

20. Defendant’s social media crusade included, but was not limited to, local media outlets, international media outlets, “LADBible,” Twitter, Facebook, and even a GoFundMe page created by the Defendant in light of all of the attention and publicity he was generating. See, Exhibit B.

21. As a result, Plaintiffs were harassed. Defendant and those who say Defendant’s false post regarding being discharged over his “meme” began to leave negative Facebook and Google reviews, stating that their reason for leaving a bad review was due to the firing of Defendant over the meme.

22. Defendant and his peers continued to berate and harass Plaintiffs by hacking the company business profiles and website, changing the name of the business to things like “Elmo’s Roman Stone works and Communal Outhouse” and “Elmo’s Fecal Works” as well as attaching a photo of male genitals as the business’ photo. See, Exhibit C.

23. In addition to harassing the business both online and via US Mail, Mr. Cassel and Mr. Ferenc were sent hate mail, threats, and other forms of harassment to their email and personal mailboxes.

The State Court Lawsuit

24. As a result of Defendant's intentional and malicious acts, Plaintiffs field suit in Wayne County Circuit Court (Case No. 19-015616-CZ, Hon. Annette J. Berry presiding) (the "State Court Lawsuit").

25. In their complaint in the State Court Lawsuit, Plaintiffs made claims for defamation, intentional infliction of emotional distress, and tortious interference.

26. The Defendant was timely served with a copy of Plaintiffs' summons and complaint. The Defendant failed to file an answer or otherwise defend himself in the State Court Lawsuit.

27. On August 10, 2020, the Wayne County Circuit Court entered an *Order Granting Default Judgment* (the "Judgment") against the Defendant and in favor of the Plaintiffs. See, Exhibit D.

28. Pursuant to the Judgment, the Plaintiffs were awarded a judgment against the Defendant in the amount of \$150,577.75.

**COUNT I – OBJECTION TO DISCHARGABILITY OF DEBT PURSUANT
TO 11 U.S.C. § 523(a)(6)**

29. Plaintiffs hereby incorporate by reference all of the preceding paragraphs of this Complaint as if fully restated herein.

30. 11 U.S.C. § 523(a)(6) provides:

(a) A discharge [...] does not discharge an individual debtor from any debt – (6) for willful and malicious injury by the debtor to another entity or to the property of another entity.

31. As set forth above, the debt owed by the Defendant to the Plaintiffs is for willful and malicious injury by the Defendant to the Plaintiffs.

WHEREFORE, the Plaintiffs respectfully request that pursuant to 11 U.S.C. § 523(a)(6) this Honorable Court except from the Defendant's discharge the debts owed by Defendant to Plaintiffs and grant any such further relief as is deemed appropriate.

Respectfully submitted,
STEVENSON & BULLOCK, P.L.C.

By: /s/ Elliot G. Crowder
Elliot G. Crowder (P76137)
Counsel for Plaintiffs
26100 American Drive, Suite 500
Southfield, MI 48034
Phone: (248) 354-7906
Facsimile: (248) 354-7907
Email: ecrowder@sbplclaw.com

Dated: June 21, 2022

EXHIBIT A



Cody Hidalgo

October 20 at 10:50 AM ·

0+

I legit got fired for this...

1:47



Cody Hidalgo
4 hrs ·

...



GIPHY

Like

Comment

Share

Bryce Thomas and 2 others

2 shares



Write a comment...



22-04113-mar Doc 1 Filed 06/21/22

Entered 06/21/22 17:14:46 Page 8 of 27

...



We don't make a dollar when your shitting all the time. Why don't you stay home and do your shitting. I don't like to play your bullshit games. Maybe theres a company out there that would put up with your games cause i won't. Good luck!

What are you talking about..?

Look on your Facebook page, do you think thing don't get around ?

Because I shared a funny meme..? On a Sunday? When I'm not at work?

You brought work into it on a Sunday.

So you're going to fire me over a meme I shared? That was nowhere relavent to work at all

I share things I think are funny all the time

It's a meme Andy why are you doing all of this over a meme



Text Message



EXHIBIT B

Like

Comment

Share

Suggested for You

**George Takei**

Yesterday at 3:31 PM ·

...

While we truly believe one should always use discretion when posting on social media, it seems to us that this boss took things too far—what are your thoughts here, friends?

**Cody Hidalgo**

Oct 20 at 1:50 PM ·

I legit got fired for this...

473

491 Comments

Like

Comment

Share

1:47

out there that would put up with
your games cause i won't.
Good luck!

Look on your Facebook page, do
you think thing don't get around ?

**Cody Hidalgo**

4 hrs ·

...



You brought work into it on a
Sunday.

PERCOLATELY.COM

Michigan Company Gets Dragged Hard After Firing Guy For Sharing Meme About Pooping At Work

1.8K

975 Comments 321 Shares

Like

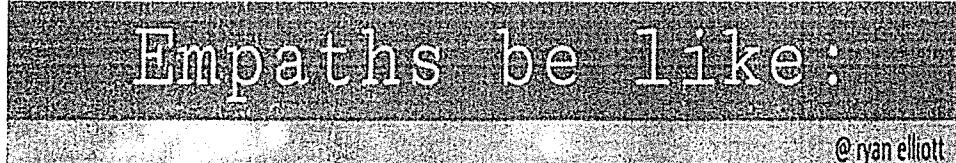
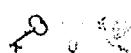
Comment

Share

**Noelle Ldiddy**

4 hrs ·

...



@ryanelliott



Filter Results

People

See All

English (US) · Español · Português (Brasil) ·
Français (France) · Deutsch

POSTS FROM

- Anyone
- You
- Your Friends
- Your Groups and Pages
- Public
- Choose a Source...

POST TYPE

- All Posts
- Posts You've Seen

POSTED IN GROUP

- Any Group
- Your Groups
- Choose a Group...

TAGGED LOCATION

- Anywhere
- New Boston, Michigan
- Choose a Location...

DATE POSTED

- Any Date
- 2020
- 2019
- 2018
- 2017
- Choose a Date



Cody Hidalgo

New Boston, Michigan
Huron High School

Add Friend



Cody Hidalgo

Hill AFB
Budget Analyst at Hill AFB

Add Friend



Cody Hidalgo

Worked at Hidalgo/Medanich Compound
Erie, Colorado

Cody Hidalgo

New York, New York



Funny Things

Page · 411 like this · Comedy Club



20 hrs · ...can see in these texts, a certain Cody Hidalgo was canned for sharing a "Boss gets a dollar, I get a dime" meme that celebrates shitting on company time - and that's pretty freakin' ridiculous. The meme is stupid, and we can see how it might annoy an employer, but it doesn't seem...



Cody Hidalgo

Oct 29 · I legit got fired for this...


[All](#) [Posts](#) [People](#) [Photos](#) [Videos](#) [Marketplace](#) [Pages](#) [Places](#) [Groups](#) [Apps](#) [Events](#) [Links](#)


Chochilino-News & Entertainment

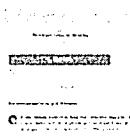
351 like this · Radio Station

Oct 27 · ...page which referred to pooping at work. Cody Hidalgo, from New Boston, shared a meme which shows Elmo from The Muppets on the toilet, with a caption that says: "Boss makes a dollar, I make a dime. [430 more words]...



Jesse Lee-Young Watty

Oct 26 · Cody Hidalgo has sparked revolution with that last post. People are angry asf at Andy oh my god. I don't blame everyone for being angry. What a bullshit reason to be fired.



1 Share

Chat (19)

Sep 16 2011 · Game later!!! Whos goin?

7

2 Comments

Filter Results



Nursina Hashim II

16 hrs · ...is happening when people doesn't know what a meme is, be like ; Cody Hidalgo



English (US) · Español · Português (Brasil) · Français (France) · Deutsch

Privacy · Terms · Advertising · Ad Choices · Cookies · More · Facebook © 2019

9

2 Comments

POST TYPE

All Posts

Posts You've Seen



Flying Eze

350 like this · News & Media Website

Oct 27 · ...page which referred to pooing at work. Cody Hidalgo, from New Boston, shared a meme which shows Elmo from The Muppets on the toilet, with a caption that says: "Boss makes a dollar, I make a dime. That's why I poop on company time." [356 more words]...

FLYING EZE

TAGGED LOCATION

Anywhere

Commerce, Michigan

Choose a Location...



Justin Dobias

11 hrs · https://www.boredpanda.com/guy-fired-over-meme-job-work-post-facebook-cody-hidalgo/?utm_source=facebook&utm_medium=social&utm_campaign=lmamommmy



1 Comment

DATE POSTED

Any Date

2019

2018

2017

Choose a Date...



Hugh Conings

Oct 27 · Lol Roman Stone Works can go to hell. Justice for Cody Hidalgo!

1

6 Comments

All Posts People Photos Videos Marketplace Pages Places Groups Apps Events Links

Dec 21 2017 ·

To all you who thinks water is wet



2

1 Comment 2 Shares



Hugh Conings

Oct 27 · Lol Roman Stone Works can go to hell. Justice for Cody Hidalgo!

1

6 Comments



St. John the Baptist Catholic Church

1.6K like this · Religious Organization

Oct 25 · ...and was blessed by Bishop John C. Cody of London. It was then flown to New York where it was received by Grand Knight Joseph Thomasen, who in turn,

Chat (19)



Nursina Hashim II

16 hrs

How the hell you got fired on your day off? This is happening when people doesn't know what a meme is, be like ;

Cody Hidalgo

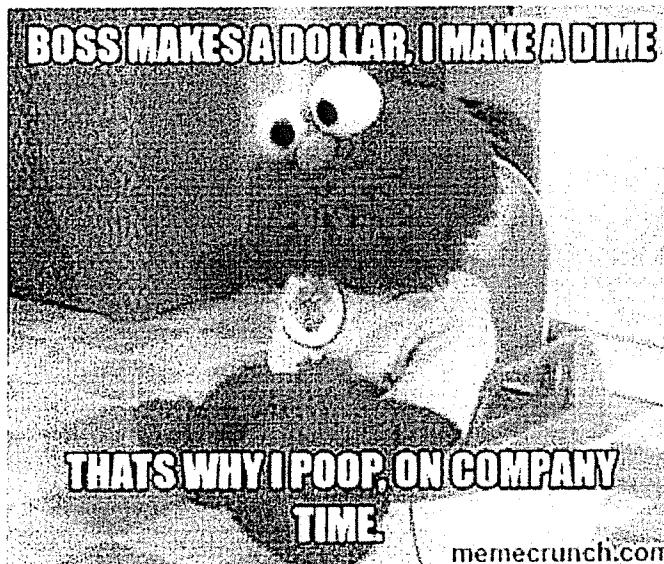
1:47



Cody Hidalgo
4 hrs

...

We don't make a dollar when you're shitting all the time. Why don't you stay home and do your shitting. I don't like to play your bullshit games. Maybe there's a company out there that would sign up with your games cause I won't. Good luck!



1,071

Like

Comment

Share

Bryce Thomas and 2 others

Patricia

This post has shown your maturity

9

2 Comments

Like

Comment

Share

Most Relevant



Write a comment...

Get The Daily J Delivered To Your Inbox

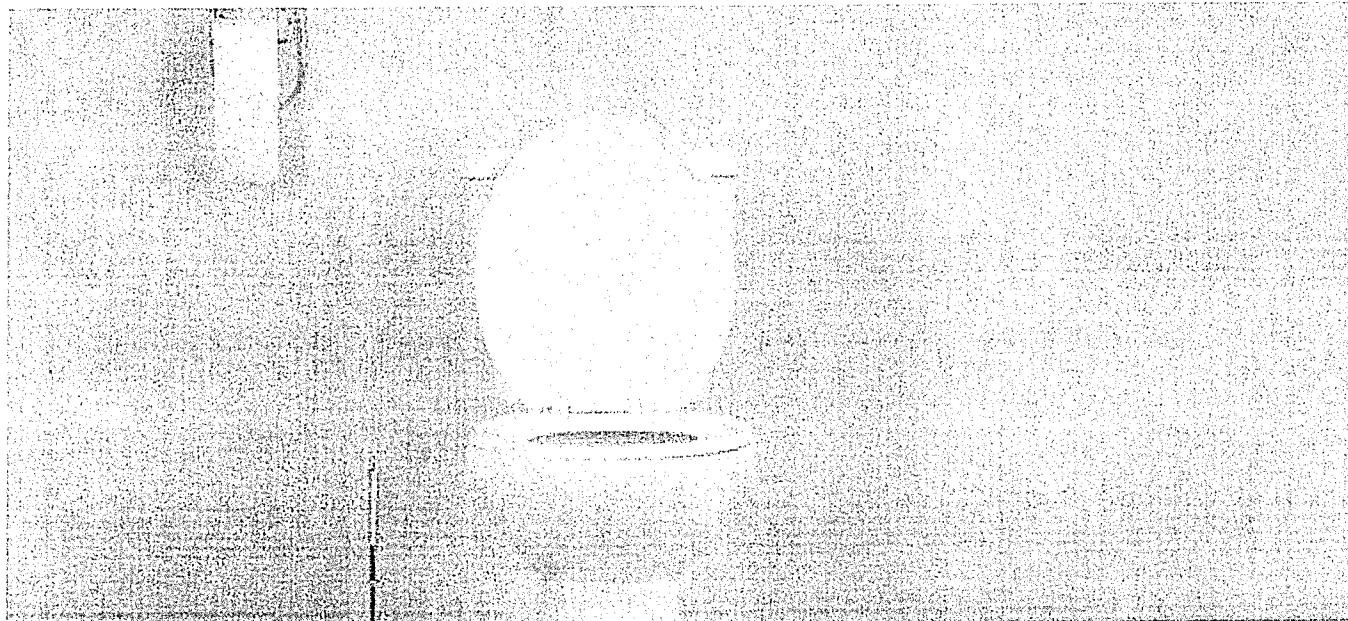
[MENU](#)[LISTEN](#)

Man Says He Was Fired In Detroit For Facebook Joke About Pooping On Company Time

"Boss makes a dollar, I make a dime. That's why I poop on company time."

 **WWJ NEWS**

OCTOBER 29, 2019 - 5:00 PM



Get The Daily J Delivered To Your Inbox



MENU



LISTEN

News, Local News

(WWJ) An incident where a man claims he was fired from a Detroit company for posting a joking meme on Facebook about pooping on company time has now entered the legal system.

Representatives of Roman Stone Works in Detroit say they've hired legal counsel and are pursuing a case against a young man who posted a series of nasty screen shots from a guy he says is the boss. The texts were in reaction to a joke meme the employee posted on a Sunday on his personal Facebook page that had the message, "Boss makes a dollar, I make a dime. That's why I poop on company time."

The company was flooded with bad online reviews after the employee posted the exchange on social media, and had to shut down their phones.

See the full exchange below.

Get The Daily J Delivered To Your Inbox



MENU



LISTEN

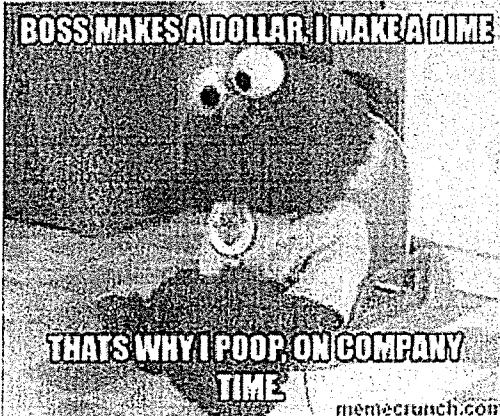
by Hidalgo

about a week ago

I legit got fired for this...

1:47

12:34 1

Cody Hidalgo
4 hrs · 21

< @

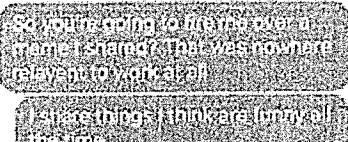


We don't make a dollar when your shitting all the time. Why don't you stay home and do your shitting. I don't like to play your bullshit games. Maybe theres a company out there that would put up with your games cause i won't. Good luck!

Look on your Facebook page, do you think thing don't get around ?



You brought work into it on a Sunday.



CAPTION

Like

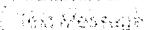
Comment

Share

Bryce Thomas and 2 others

2 shares

Write a comment...



1.2K

2.1K

8.4K

Many comments among the thousands on the alleged victim's Facebook post urge people to leave bad reviews everywhere they can and troll the company. One man posted the cell phone numbers of leaders at the firm.

"...Its still a pussy move and we should bully him and destroy his reputation till his

Get The Daily J Delivered To Your Inbox



[MENU](#)



[LISTEN](#)

~~Facebook user named Victor Ulloa wrote, "I now see the company has 81 negative reviews already, here is another note to "Employers" it would be helpful and wise to be professional when dealing with your employee(s), it isn't appropriate to talk down on someone who is expressing an opinion, because this is the end result when you think you can bully a worker and demean someone as a person. You get what you give in life (most times) make it a good one."~~

But things are not always as they appear on the internet, or at least not as black and white.

Someone who answered the phone at a number tied to Roman Stone Works said the incident is not as it's being portrayed.

"I can confirm that he was not fired ... People are rushing to judgement and it's not been fun."

The man added "we've got a case against the young man," and referred all questions to a Bingham Farms attorney. The attorney did not immediately respond to messages from WWJ Newsradio.

But the internet already delivered its verdict. The post has 4,300 comments, 8,000 shares -- and counting.

"Can't leave reviews on their google page anymore, but its stuck at 1 star now," Edward Dee-Dawson Tivrusky wrote.

TAGS: Newsletter, All Local

Search

How it works

Start a GoFundMe



Sign in

Share

Donate

#ForCody

\$10 raised of \$1,000 goal

[Donate now](#)

Share



Dylan Orth

\$10 • 18 hrs



Cody Hidalgo is organizing this fundraiser.

Created 2 days ago

Babies, Kids & Family

I was wrongfully terminated and will be a few weeks before I start my new job. Got a house and bills to pay for. Need the help. Y'all know what to do. Even a dollar helps!

Organizer



Cody Hidalgo
Organizer
Lincoln Park, MI

[Contact](#)

Comments (1)



Dyllan Orth donated \$10

The internet's got your back, homeboy, and I'm gonna try to spread this around. If I were you, I'd lawyer up and make Andy and the company feel the full weight of the repercussions.

18 hrs

[Report fundraiser](#)



#1 FUNDRAISING PLATFORM

People have raised more money on GoFundMe than anywhere else.
[Learn more](#)



GOFUNDME GUARANTEE

In the rare case that something isn't right, we will refund your donation.
[Learn more](#)



EXPERT ADVICE, 24/7

Contact us with your questions and we'll answer, day or night.
[Learn more](#)



Choose your language

English (US) ▾

FUNDRAISE FOR

[Medical](#)

[Emergency](#)

[Memorial](#)

[Education](#)

[Charity](#)

[Nonprofit organization](#)

LEARN MORE

[How GoFundMe works](#)

[Why GoFundMe](#)

[Common questions](#)

[Success stories](#)

[Supported countries](#)

[Nonprofit organization](#)

RESOURCES

[Help center](#)

[Blog](#)

[GoFundMe Stories](#)

[Press center](#)

[Careers](#)

[About](#)

© 2010-2019 GoFundMe

[Terms](#)

[Privacy](#)

[Legal](#)



4:02



Search Facebook

Roman Stone Works

1.1k · 81 · 81

Stone supplier in Detroit, Michigan

+ Follow



OVERVIEW

REVIEWS

PHOTOS

TUE, DEC 10 AT 1:30 PM - 9:30 PM

Storm The Bathroom At Roman Stone Works, They Can't Fire Us All

Roman Stone Works - Detroit



Interested



Going



Share ▾



More

Public event by Memey McGee

Roman Stone Works

13000 Lyndon St, Detroit, Michigan 48227 · 9.6 mi

About

Discussion

Posts

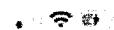


Say something...

Details



4:02



Search Facebook

Andy's Toilet Roman StoneWorks and Mal Outhouse

1,241 (241)

Chair-accessible bathroom

Michigan · Open



TUE, NOV 5 AT 11 AM

Use Andy's Toilet Roman StoneWorks

Roman Stone Works · Detroit



Interested



Going



Share



More

Public event by Smart Decor

Roman Stone Works

13900 Lyndon St, Detroit, Michigan 48227 · 0.6 mi

48 Going · 102 Interested · 10 Shares

About

Discussion

Posts



Say something...

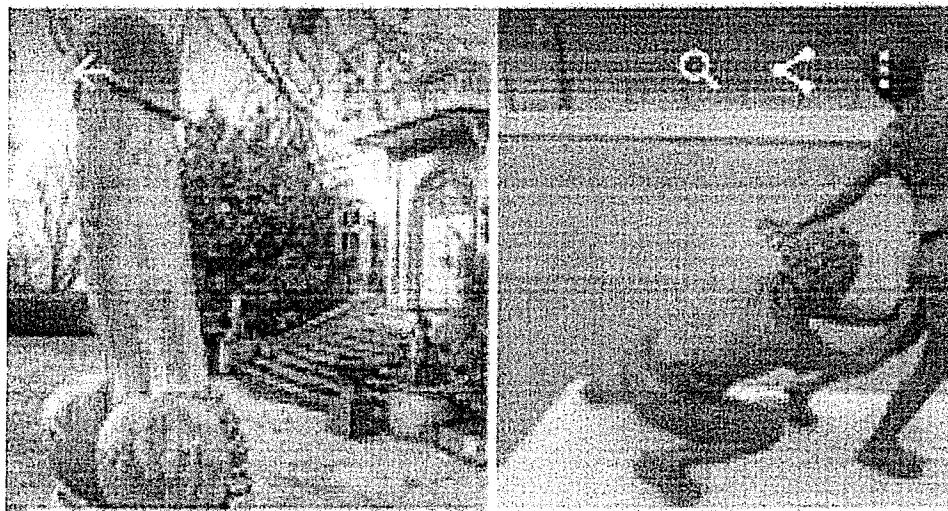
Details



EXHIBIT C

B 56 £ 00

41 34 2892



Elmo's Roman Stone Works and Communal Outhouse

1.1 stars 3 (31)

Public wheelchair-accessible bathroom in Detroit, Michigan · Open

+ Follow

OVERVIEW

REVIEWS

PHOTOS

CALL

DIRECTIONS

SAVE

WEBSITE

13000 Lyndon St, Detroit, MI 48227, United States

Open 24 hours

+1 313.611.2260



Discover



Updates



Search

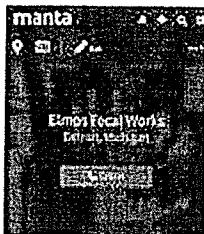


Recent



More

Barbie Nope Nope Yayyy! I did a thing!

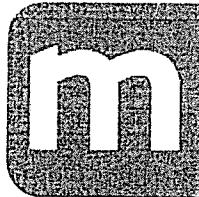


5

Like · Reply · 1d



Jeroen Guyt <https://www.manta.com/c/mtw516m/elmos-fecal-works>



MANTA.COM

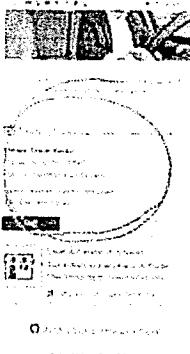
Elmos Fecal Works

1

Like · Reply · 1d



Barbie Nope Nope Jeroen Guyt I know guy. It gave me the option of claiming the profile. So I did.



0

Activities (0) [View all](#)

0 [View all](#)

EXHIBIT D

STATE OF MICHIGAN
IN THE WAYNE COUNTY CIRCUIT COURT

ROMAN STONE WORKS, INC.; a Michigan Corporation,
CRAIG CASSEL; an individual, and
ANDREW FERENC; an individual,

Case No.: 19-015616-CZ
Hon. Annette J. Berry

Plaintiffs,

- VS -

CODY HIDALGO,

Defendant.

THE RUBINSTEIN LAW FIRM
Jan Jeffrey Rubinstein (P57937)
Ryan P. Richardville (P77335)
Attorneys for Plaintiffs
30150 Telegraph Rd., Ste. 444
Bingham Farms, MI 48025
(248) 220-1415

ORDER GRANTING DEFAULT JUDGMENT

At a session of court held in the courthouse in
Detroit, Michigan, on 8/10/2020

PRESENT: HONORABLE JUDGE ANNETTE J. BERRY
Annette J. Berry
Circuit Court Judge

This matter having come before this Court for a hearing on August 7, 2020, on the motion of the Plaintiffs, to enter a default judgment against Defendant (the “Motion”), and this Court having heard and considered arguments of counsel and evidence in support of and in opposition to the Motion, and this Court being otherwise fully advised in the premises, this Court finds, concludes, and orders as follows:

WHEREAS, the Court makes the following findings of fact and conclusions of law:

1. Plaintiffs are entitled to the entry of a default judgment.
2. Plaintiffs have suffered and will continue to suffer damages, and as such the following relief outlined below will be applied.
3. To the extent any conclusion of law is a finding of fact, it is incorporated in this Order by way of reference.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT:

4. Plaintiffs are awarded a judgment against Defendant, CODY HIDALGO, in the amount of \$150,000.00, plus their costs, in the amount of \$502.75, plus their reasonable attorney fees, in the amount of \$75.00, for a total judgment of \$150,577.75.
5. Defendant, CODY HIDALGO, shall be enjoined from harassing, or making any disparaging, or negative statements regarding Plaintiffs.
6. Defendant, CODY HIDALGO, will not participate in any protest and/or demonstration against Plaintiff, and in the event such a protest and/or demonstration occurs, Defendant, CODY HIDALGO shall appear, and make the falsity of his statements known publicly.

/s/ Annette J. Berry 8/10/2020

Honorable Annette J. Berry
Circuit Court Judge

THIS IS A FINAL ORDER AND CLOSES THIS CASE.